

### REMARKS

Claims 1-27 and 33-34 remain in the Application, and of those, Claims 1, 22 and 23 have been amended. In the Office Action mailed on October 17, 2006, the Examiner rejected Claim 23 under 35 U.S.C. §112 as indefinite; rejected Claims 1, 3, 5, 7, 12-13, 15, 17, 22-23 and 27 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 4,872,879 issued to Le Chatelier et al. ("Le Chatelier '879"); rejected Claims 2, 4, 6, 8-11, 14, 16, 18-21 and 24-26 under 35 U.S.C. §103(a) as being obvious over Le Chatelier '879<sup>1</sup>; and rejected Claims 33 and 34 under 35 U.S.C. §103(a) as being obvious over Le Chatelier '879 in view of U.S. Patent No. 5,584,949 issued to Ingram ("Ingram '949").

Applicants thank the Examiner for the courtesy extended during the personal interview on November 20, 2006, at the U.S. Patent and Trademark Office with Attorneys David P. Dureska and Brent L. Moore. Pursuant to the interview, Applicants submit this Response in a Request for Continued Examination, in which independent Claim 1, independent Claim 22 and dependent Claims 2-19, 21 and 23 have been amended, as will be described in greater detail below. Based upon the amendments and the following remarks, Applicants respectfully submit that the claims remaining in the application, that is, Claims 1-27 and 33-34, are in condition for allowance.

#### I. AMENDMENT TO THE SPECIFICATION

Applicants have amended the specification to correct a typographical error, as permitted by MPEP §2163.07. Specifically, the word "energize" at Line 23 of Page 11 has been changed

---

<sup>1</sup> Applicants respectfully note that Claims 2, 4, 6, 8-11, 14, 16, 18-21 and 24-26 are not specifically cited by the Examiner. However, since the October 17, 2006 Office Action is final and reflects many of the same bases of rejection in the non-final Office Action mailed on January 27, 2006, which does cite these Claims, Applicants proceed under the presumption that the rejection applies to these Claims.

to "de-energize", which reflects the proper energy state for the venting of delivery solenoid 24, as set forth, for example, at Page 7, Lines 11-14 and Page 10, Line 30.

## II THE REJECTION OF CLAIM 23 UNDER 35 U.S.C. §112

The Examiner rejected Claim 23 under 35 U.S.C. §112 as indefinite. Specifically, the Examiner stated that "Claim 23 is indefinite due to the fact that it is unclear from what element(s) of the invention the control unit accepts direct input about the target air pressure." (Office Action at Page 2, ¶ 2 ) Applicants have amended Claim 23, adding the recitation "from an input device", since the control unit can accept input of the target inflation pressure from sources such as a portable device used by a technician, or a device used in the factory, as set forth in the specification in at least Page 9, Lines 26-31. Applicants respectfully submit that the amendment clarifies the recitation of Claim 23, and therefore overcomes the rejection

## III THE REJECTION OF CLAIMS 1-27 UNDER 35 U.S.C. §§102(b) AND §103(a)

In the Office Action, the Examiner rejected Claims 1, 3, 5, 7, 12-13, 15, 17, 22-23 and 27 under 35 U.S.C. §102(b) as anticipated by Le Chatelier '879, and rejected Claims 2, 4, 6, 8-11, 14, 16, 18-21 and 24-26 under 35 U.S.C. §103(a) as being obvious over Le Chatelier '879. Claims 2-21 depend from independent Claim 1, and Claims 23-27 depend from independent Claim 22. Applicants thank the Examiner for his suggestions during the subsequent interview on November 20, 2006, and have amended independent Claims 1 and 22 accordingly to distinguish them over the prior art.

More particularly, Claim 1 has been amended to more clearly recite the Claim as a method claim, and to also more particularly recite that the air bursts used in the step-up

procedure are of a generally predetermined volume. Basis for the amendment that the air bursts are of a generally predetermined volume appears in the specification at least at Page 16, Lines 24-25, which state "Turning now to FIG 6J, the specific size of air bursts for the step-up procedure is determined." The determination of the size of the air bursts is then described, for example, from Page 16, Line 25 through Page 20, Line 14. Applicants note that, while the size of the air bursts is often discussed in the specification in terms of the amount of time that a valve is opened, the time for which a valve is open relates to the volume of the air burst, as pointed out at Page 12, Lines 25-27: "It is to be noted that terms relating to duration, size and volume of air bursts are often referred to herein in an interchangeable manner, since a longer duration air burst is typically one with a larger relative volume and larger relative size."

Turning to Claim 22, the Claim has been amended to recite functional elements of the tire inflation system pursuant to the suggestion of the Examiner, clarifying that the system is an inflation-only system that uses a step-up procedure with air bursts of a generally predetermined volume to determine the inflation pressure of a tire, and an extended-pulse procedure to inflate the tire. Basis for the amendment to Claim 22 finds support in at least Claim 1.

As was discussed with the Examiner during the interview, inflate/deflate systems known to Applicants, including the system disclosed by Le Chatelier '879, are not material to an inflation-only system as recited in amended Claims 1 and 22. That is, since known inflate/deflate systems are able to deflate a tire if the system exceeds the desired tire inflation pressure, there is no reason for such inflate/deflate systems to carefully control opening of air valves to determine the tire pressure using a step-up procedure. Also, such inflate/deflate systems are complex, involving additional components and steps, and thus extra cost, to enable the systems to deflate. In contrast, in the inflation-only method recited in amended Claim 1 and

in the inflation-only system recited in amended Claim 22, a step-up procedure employing air bursts of a generally predetermined volume is recited, which is used to prevent the system from undesirably exceeding the target inflation pressure, since such an inflation-only system is not able to deflate the tire in the event that the target air pressure is exceeded. Also, such an inflation-only system is more efficient and less costly than an inflate/deflate system, since it does not include additional structure and/or steps associated with deflation. Therefore, the inflation-only method recited in amended Claim 1 and the inflation-only system recited in amended Claim 22, as acknowledged by the Examiner in the interview, are different and distinct from known inflate/deflate systems.

Applicants have amended independent Claims 1 and 22 to recite features of the invention that are not taught or disclosed by Le Chatelier '879. As a result, Applicants respectfully submit that Le Chatelier '879 does not anticipate, or render obvious, amended independent Claims 1 and 22.

Applicants note that Claims 2-19 and 21, which depend from Claim 1, have been amended to reflect the method as recited in amended Claim 1. Since Claims 2-21 depend from amended independent Claim 1, and Claims 23-27 depend from amended independent Claim 22, Applicants respectfully submit that they, too, are not anticipated by or rendered obvious by Le Chatelier '879.

#### IV THE REJECTION OF CLAIMS 33-34 UNDER 35 U.S.C. §103(a)

In the Office Action, the Examiner rejected Claims 33 and 34, which depend from independent Claim 22, under 35 U.S.C. §103(a) as being obvious over Le Chatelier '879 in view of Ingram '949. In making the rejection, the Examiner relied on Le Chatelier '879 as applied to


Claims 1-6 and 14-27, and applied Ingram ('949) for the additional limitations recited in Claims 33 and 34. Applicants respectfully submit that since amended independent Claim 22 is not obvious in view of Le Chatelier '879, as set forth above, dependent Claims 33 and 34 are not rendered obvious, alone or in combination, over Le Chatelier '879 and Ingram '949

V. CONCLUSION

In view of the above, it is submitted that the claims remaining in the application now are in condition for allowance. Reconsideration of the rejections is respectfully requested and allowance of Claims 1-27 and 33-34 at an early date is hereby respectfully solicited.

Respectfully submitted,

BUCKINGHAM, DOOLITTLE & BURROUGHS, LLP

By:   
David P. Dureska, Registration No. 34,152  
Edward T. Kennedy, Registration No. 48,478

4518 Fulton Drive, N.W.  
P.O. Box 35548  
Canton, OH 44735-5548  
Telephone: (330) 491-5218  
Facsimile: (330) 252-5216  
E-Mail: [ekennedy@bdblaw.com](mailto:ekennedy@bdblaw.com)  
Attorney Docket No : HEND-BC-REG-CIP (45007-281)